

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNION PACIFIC RAILROAD COMPANY,

Plaintiff,

vs.

**COLONY NATIONAL INSURANCE
COMPANY, DEANGELO BROTHERS,
Inc.; and AMERICAN HOME
ASSURANCE COMPANY,**

Defendants.

8:13CV84

ORDER

This matter is before the Court on the Stipulation for Dismissal with Prejudice, ECF No. 189, filed by Defendants DeAngelo Brothers, Inc., and American Home Assurance Co., and Plaintiff Union Pacific Railroad Co. The stipulation complies with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the Court concludes that it should be approved. DeAngelo Brothers, Inc., and American Home Assurance Co. will be dismissed from this action, with prejudice. The stipulation states that the dismissal does not affect the status of Defendant Colony National Insurance Co. or Union Pacific's claims against Colony. Accordingly,

IT IS ORDERED:

1. The Dismissal with Prejudice, ECF No. 189, is approved;
2. Defendant DeAngelo Brothers, Inc., is dismissed from the above-captioned action, with prejudice;
3. Defendant American Home Assurance Co. is dismissed from the above-captioned action, with prejudice;
4. The Court will not assess costs or attorney's fees as to Defendants DeAngelo Brothers, Inc., and American Home Assurance Co.; and

5. The Clerk will adjust the caption accordingly.

Dated this 12th day of January, 2018.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge